

Lincoln



Nebraska's Capital City

November 28, 2001

Mayor Wesely and City Council  
City of Lincoln  
City County Building  
Lincoln, NE

Mayor Wesely and Members of the City Council:

An investigation has been made regarding the application of JV Inc., d.b.a. Azteca Mexican Restaurant, 500 West Gate Boulevard requesting a class I liquor license for this location. This location was previously known as Biagio's, which held a class I liquor license.

Joy Vidaurre holder of all shares in JV Inc., requests that she be approved as the manager of this liquor license.

Background information on Joy Vidaurre is as follows:

Joy Vidaurre was born in Lincoln, Nebraska. She attended the University of Nebraska graduating in 1988.

Joy Vidaurre employment history is as follows:

2000 – present	Health Aid, Gentiva Health Care	Lincoln, NE.
1996 – 2000	CNA, Ashland Care Center	Ashland, NE.
1995 – 1996	Cook, Café Carrera	Eagle, NE.
1989 – 1995	Aid, Merry Manor	Lincoln, NE.
1991 – 1994	Owner, Dependable Services	Lincoln, NE.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

THOMAS K. CASADY, Chief of Police



Police Department  
575 South 10th Street / Lincoln, Nebraska 68508 / Phone: 402-441-7204 / Fax: 402-441-8492 / Website: [www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)  
A nationally accredited law enforcement agency



Liquor License Business Report / Completed by Inv Fosler Date: \_\_\_\_\_

DBA: AZTECA MEXICAN RESTAURANT

ADDRESS 500 West gate Blvd PHONE 476-1212

TYPE OF INVESTIGATION:

PURCHASE  UPGRADE  EXPANSION  NEW  
 OWNER  MANAGER  OTHER \_\_\_\_\_

TYPE OF BUSINESS RESTAURANT

CLASS: A B C D  J K CATERING OTHER \_\_\_\_\_

OWNERSHIP  CORPORATION  PARTNERSHIP  INDIVIDUAL

PURCHASE PRICE \_\_\_\_\_ PROPERTY EQUIPMENT VALUE \_\_\_\_\_

AMOUNT FINANCED 25,000 SOURCE Elmwood Bank -

COLLATERAL Home COSIGNER(S) -

LEASE AGREEMENT 3yr 3000 \$

EST INCOME %FOOD 75 %LIQUOR 25

COMMERCIAL   INDUSTRIAL  RESIDENTIAL

TRAFFIC moderate PARKING off-street

READY FOR OPERATION: YES  NO  EST DATE Dec 01

FOOD SERVICE Full services # OF EMPLOYEES F/T 10 P/T 10

DOES LICENSE COMPLY WITH LEGAL DISTANCES:  YES  
 NO

EST SEATING 84 EST # DAILY CUSTOMERS 100-120

HOURS OF OPERATION 11am - 10pm 7 days

HUMAN RIGHTS COMMISSION CHECKED- YES  NO  N/A

Liquor License Investigation

Business (DBA) AZTECA MEXICAN RESTAURANT

Manager       Owner      Other \_\_\_\_\_

Name: Jay Vidaurte

US Citizen?       Yes      No

Has applicant ever been cited for liquor law violations?  No      Yes  
Explain \_\_\_\_\_

Does applicant have an interest in another liquor license?  No      Yes  
Explain \_\_\_\_\_

Is spouse qualified to hold a license? Yes      No       N/A

How is applicant if not an owner to be paid?      Salary      Hourly N/A

How many hours will applicant be at the establishment? 20-30

Any other employment?  No      Yes, explain \_\_\_\_\_

Any previous experience with a liquor license? Yes       No

Any criminal convictions?  No      Yes  
Comments \_\_\_\_\_

Is applicant a property owner in Lincoln?  Yes      No

Is applicant involved in any civil litigation?  No      Yes  
Comments \_\_\_\_\_

Photo       Records Check       References

Comments \_\_\_\_\_

Interview Date 11/27/01

# STATE OF NEBRASKA

Set date 11-17-01  
P.H.: 12-10-01



Mike Johanns  
Governor

November 7, 2001  
City Clerk of Lincoln  
City/County Building  
555 S 10 Street  
Lincoln, NE 68508

Class I #53809

131038  
147

NEBRASKA LIQUOR CONTROL COMMISSION  
Forrest D. Chapman  
Executive Director  
301 Centennial Mall South, 5th Floor  
P.O. Box 95046  
Lincoln, Nebraska 68509-5046  
Phone (402) 471-2571  
Fax (402) 471-2814  
TRS USER 800 833-7352 (TTY)

JV Inc.  
Azteca Mexican Restaurant  
500 West Gate Blvd.

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose NOT to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

RECEIVED  
NOV 10 2001  
LINCOLN, NE

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

*Jackie B. Matulka*  
Licensing Division

Enclosures  
Rhonda R. Flower  
Commissioner

Bob Logsdon  
Chairman

R.L. (Dick) Coyne  
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

FORM 35-4001  
REV. 12-99

**Corporation/LLC Application for License - Form 3**  
Nebraska Liquor Control Commission

**RECEIVED**

NOV - 5 2001

NEBRASKA LIQUOR  
CONTROL COMMISSION

**INSTRUCTIONS:**

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation  JV, Inc.			Total Number of Shares (if corporation)  100	
Corporate Street Address (1) 500 West Gate Blvd.		Mailing address for receipt of Liquor Control Commission Mailings same		Corporate Telephone Number 402-476-1212
City Lincoln	County Lancaster	State Nebraska	Zip Code 68528	
Name of Registered Agent Joy Lynn Vidaurre		Name of Proposed Manager Joy Lynn Vidaurre		
<b>IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER</b>				
Name Joy Lynn Vidaurre		Title President	Date of Birth 03/23/65	Social Security Number 507-04-8062
Home Address (1) 2741 Dudley			State Nebraska	
City Lincoln	State NE	Zip Code 68503	Home Telephone Number 402-742-5202	

### Corporation/LLC Application for License - Form 3

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES				
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares/ %
NAME Joy Lynn Vidaurre	507-04-8062	03/23/65	President, Secretary, Treasurer	100%
Spouse Name James Vidaurre	506-39-4161	10/24/58		
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				
NAME				
Spouse Name				

(If Necessary, Continue on Separate Sheet)

# Application for Corporate Manager

\*Must Be A Nebraska Resident\*

RECEIVED

Please submit in Triplicate

Return to: Nebraska Liquor Control Commission, PO Box 95046  
301 Centennial Mall So., Lincoln NE 68509

NOV - 5 2001

Phone: (402) 471-2571 Fax: (402) 471-2814 Web address: <http://www.nol.org/home/NLCC/>

LIQUOR LICENSE INFORMATION			
NAME OF LICENSED CORPORATION  JV, Inc.		CLASS & LICENSE NUMBER  I	
TRADE NAME OF LICENSED PREMISE  Aztecta Mexican Restaurant			
STREET ADDRESS OF LICENSED PREMISE  500 West Gate Blvd.	CITY  Lincoln	COUNTY  Lancaster	ZIP CODE  68528

On behalf of the corporation, I designate this individual as corporate manager.

**Signature of Corporate President/CEO:** Joy Lynn Vidaurre

### APPLICANT INFORMATION (MUST BE 21 OR OVER)

NAME (LAST, FIRST, MIDDLE, MAIDEN)  Vidaurre, Joy Lynn, Snyder	SEX <input checked="" type="radio"/> F <input type="radio"/> M	SOCIAL SECURITY NUMBER  507-04-8062	DATE OF BIRTH  03/23/65	PLACE OF BIRTH  Lincoln, NE
HOME STREET ADDRESS  2741 Dudley	CITY  Lincoln	COUNTY  Lancaster	STATE  NE	ZIP CODE  68503
HOME TELEPHONE NUMBER  (402) 742-5202	BUSINESS TELEPHONE NUMBER  (402) 476-1212	DRIVERS LICENSE NUMBER & STATE  G02170848 NE		

### SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE NONE)

FULL NAME (LAST, FIRST, MIDDLE, MAIDEN)  Vidaurre, James	SOCIAL SECURITY NUMBER  506-39-4161	DRIVERS LICENSE NUMBER & STATE  H2626860 NE
DATE OF BIRTH: 10/24/58	PLACE OF BIRTH: Cochabamba, Bolivia	

**1. READ CAREFULLY** - Answer completely and accurately.

Has anyone who is a party to this application or their spouse, ever been convicted of or plead guilty to any criminal charge? Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES  NO

**2.** Have you or your spouse ever made application for any liquor license or manager for any liquor license? **IF YES**, for what premise give license number and date.

YES  NO



	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).		X	
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.		X	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.		X	
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		X	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner. <i>B &amp; J Partnership</i>	X		billiard table; misc. kitchen equip; tables; chairs; plates; and silverware
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		X	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		X	
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		X	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.	West Gate Bank-Joy Vidaurre		
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.	None		
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.	Joy Lynn Vidaurre <i>30+ a week</i>		
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products. <i>training needed</i>	Bishops - Cook Miller & Payne - Waitress Valentino's-Dining Rm Supervisor Cafe Carrera-all areas of oper.		
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).	lease attached <i>Expires 11-30-04</i>		
14. When do you intend to open for business?	As soon as possible		

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
Joy Lynn Vidaurre	2001	2001	Lincoln, NE
	1993	2001	Elmwood, NE
	1991	1993	Lincoln, NE
James Vidaurre	1997	2001	Lincoln, NE
	1991	1997	Tacoma, WA

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

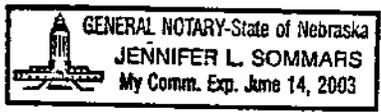
Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers; directors and spouses must sign. Full names only, initials not acceptable.

sign here Joy Lynn Vidaurre  
 Joy Lynn Vidaurre, President  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_

sign here James Vidaurre  
 James Vidaurre  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_  
 sign here \_\_\_\_\_

Subscribed in my presence and sworn to before me this 2nd day of November 2001

(SEAL)



In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

sign here Jennifer L. Sommars  
 Notary Public Signature

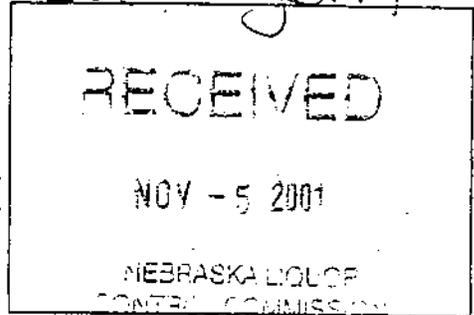
I # 53809

Local-jbm

APPLICATION FOR LICENSE

Nebraska Liquor Control Commission
PO Box 95046, 301 Centennial Mall South
Lincoln, NE 68509-5046

http://www.nol.org/home/NLCC/
Phone: (402) 471-2571
Fax: (402) 471-2814



INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission
2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouse(s) who file an affidavit of no interest with application, Commission form 4178
3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska
4. Commission checklist, form 4251
5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest.
6. All applications must be typewritten or printed clearly.
7. Submit in Triplicate

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Table with 4 columns: Class of License (Check applicable class), Registration Fee, License Fees, Corporate Surety Bond. Rows include A Beer, On Sale Only - Inside Corporate Limits; F Beer, On Sale Only - Outside Corporate Limits; B Beer, Off Sale Only - Indicate Inside or Outside Corporate Limits; V Wine, Beer, On Sale Only - Inside Corporate Limits; I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits; D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits; DI Spirits, Wine, Beer, Off Sale only - within extraterritorial zoning jurisdiction; C Spirits, Wine, Beer On & Off Sale - Inside Corporate Limits; M Bottle Club (Spirits, Wine, Beer, on Sale); H Nonprofit Corporation; K Wine Only, Off Sale; O Boat; V Manufacturer of Beer, Wine & Distilled Spirits; X Wholesale Liquor; W Wholesale Beer; Y Farm Winery; L Craft Brewery (Brew Pub).

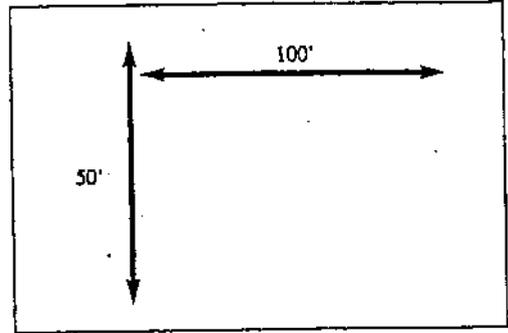
TYPE OF APPLICATION: 3
CORPORATE SURETY BOND INFORMATION: Bond Company - for Classes L V W X Y only; Start Date Month/Day/Year; Bond Number

SECTION A - LOCATION INFORMATION - Must be completed by all applicants

Trade Name (name of business): Azteca Mexican Restaurant
Telephone Number at premise to be licensed: 402-476-1212
1) Street Address of Proposed licensed premise: 500 West Gate Blvd.
2) Mailing Address for receipt of Liquor Control Commission mailings: Same
City: Lincoln County: Lancaster Zip Code: 68528

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

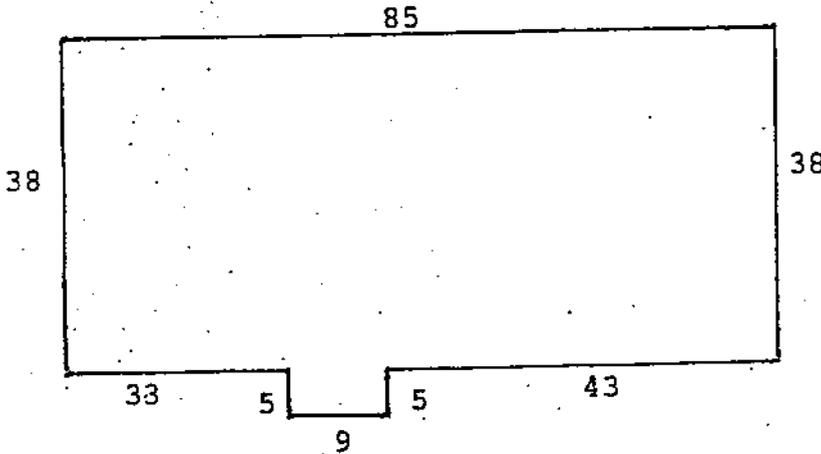
In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



one story irregular shaped building approx 38 x 85

no basement

Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.



Entire premises to be licensed

SECTION B		OTHER INFORMATION REQUIRED		
		Yes	No	Explanation/Comments
<p>1. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>			X	

**Corporation/LLC Application for License - Form 3**  
Nebraska Liquor Control Commission

Is this Corporation/LLC controlled by another Corporation?  YES  NO

Name of Control Corporation

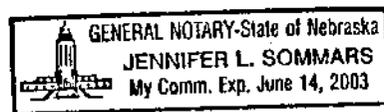
IF YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LLC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned

Please indicate below your corporate tax year with the IRS

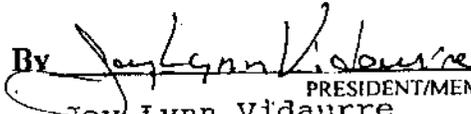
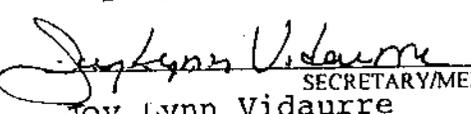
Starting Date: January 1 Ending Date: December 31

STATE OF NEBRASKA )  
 )  
 ) ss.  
LANCASTER County )  
 )

  
Notary Public Signature & Seal



*dated November 2, 2001.*

By   
Joy Lynn Vidaurre PRESIDENT/MEMBER  
  
Joy Lynn Vidaurre SECRETARY/MEMBER

In Compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format

RECEIVED

ARTICLES OF INCORPORATION

NOV - 5 2001



OF

NEBRASKA LIQUOR  
CONTROL COMMISSION

JV, INC.

The undersigned, acting as incorporator under Nebraska's Business Corporation Act, adopts the following Articles of Incorporation:

ARTICLE I. NAME

The name of the corporation is JV, Inc.

ARTICLE II. AUTHORIZED SHARES

The aggregate number of shares which the corporation shall have authority to issue is 10,000, all common stock, having a par value of \$1.00 each.

All transfers of the shares of this corporation shall be made in accordance with the provisions of the Bylaws of the corporation.

ARTICLE III. PURPOSES

The corporation is organized to transact any or all lawful business for which corporations may be incorporated under Nebraska's Business Corporation Act, as amended from time to time.

ARTICLE IV. RESERVED RIGHT TO AMEND OR REPEAL

The corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation in the manner now or hereafter permitted by law, and all rights conferred upon shareholders herein are granted subject to this reservation.

ARTICLE V. REGISTERED AGENT

The street address of the initial registered office of the corporation is 1028 O Street, Lincoln, Lancaster County, Nebraska 68508, and the name of its initial registered agent at such address is James Vidaurre.

ARTICLE VI. INCORPORATOR

The name and address of the incorporator is Richard L. Rice, 206 South 13<sup>th</sup> Street, Suite 1301, P.O. Box 85778, Lincoln, Nebraska 68501.

Dated this 1 day of September, 1999.

  
Richard L. Rice, Incorporator

INVENTORY OWNED BY OTHERS RECEIVED  
ON THE PREMISES

NOV - 5 2001

NEBRASKA LIQUOR  
CONTROL COMMISSION

1. billiard table
2. miscellaneous kitchen equipment
3. tables
4. chairs
5. plates
6. silverware

(G:\WPData\MJV\Vidaurre inv list.wpd)

*B&J Partnership*

97R-111

RECEIVED  
Introduce: 3-31-97  
NOV - 5 2001

78008

RESOLUTION NO. A- \_\_\_\_\_  
SPECIAL PERMIT NO. 1676

NEBRASKA LIQUOR  
CONTROL COMMISSION

1           WHEREAS, Dorothy Dahms has submitted an application designated as  
2 Special Permit No. 1676 for authority to sell alcoholic beverages for consumption  
3 on the premises generally located at 500 Westgate Blvd., legally described as:

4                   Lot 22, Block 1, of the Westgate Park for Business and  
5                   Industry, located in the Southeast Quarter of Section  
6                   22, Township 10 North, Range 6 East of the 6th P.M.,  
7                   Lincoln, Lancaster County, Nebraska; and

8           WHEREAS, the real property adjacent to the area included within the  
9 site plan for this permit to sell alcoholic beverages on the premises will not  
10 be adversely affected; and

11           WHEREAS, said site plan together with the terms and conditions  
12 hereinafter set forth are consistent with the intent and purpose of Title 27 of  
13 the Lincoln Municipal Code to promote the public health, safety, and general  
14 welfare.

15           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
16 Lincoln, Nebraska:

17           That the application of Dorothy Dahms, hereinafter referred to as  
18 "Permittee", to sell alcoholic beverages for consumption on the premises on  
19 property legally described above be and the same is hereby granted under the  
20 provisions of Section 27.63.680 of the Lincoln Municipal Code upon condition that  
21 operation of said licensed premises be in strict compliance with said  
22 application, the site plan, and the following additional express terms,  
23 conditions, and requirements:

- 24           1. This permit approves the sale of alcoholic beverages ~~for~~  
25 consumption on the premises legally described above only, and is specifically  
26 limited to the liquor licensed premises described as: